

EXHIBIT A

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From: LAURIE ELKIN <LAURIE.ELKIN@EEOC.GOV>

Sent: Thursday, March 13, 2025 9:23 AM

To: Clark, Gary R. <Gary.Clark@quarles.com>

Cc: Foster, Kristin C. <Kristin.Foster@quarles.com>; Paul Mollica <PaulM@equipforequality.org>; Jin-Ho Chung <JinHo@equipforequality.org>; ELIZABETH BANASZAK <ELIZABETH.BANASZAK@EEOC.GOV>; JEANNE SZROMBA <JEANNE.SZROMBA@EEOC.GOV>; KELLY BUNCH <KELLY.BUNCH@EEOC.GOV>; Hollis, Edward E. <Edward.Hollis@quarles.com>; Williams-Killackey, Judith A. <judi.williams@quarles.com>; Walden, William A. <William.Walden@quarles.com>; Nickels, Christopher L. <chris.nickels@quarles.com>; Phillips, Kaitlin M. <Kaitlin.Phillips@quarles.com>; Roth, Tyler J. <Tyler.Roth@quarles.com>; Hartstein, Brian A. <brian.hartstein@quarles.com>; Riede, Hans P. <Hans.Riede@quarles.com>; JUSTIN MULAIRE <JUSTIN.MULAIRE@EEOC.GOV>

Subject: RE: EEOC v. UPS [QBLLP-ACTIVE.FID44170398]

Hi Gary,

I write with regard to the generally applicable items in the EEOC's February 24, 2025, deficiency letter. I appreciate your responses below, but would like to schedule a Rule 37 conference as soon as possible to further discuss these issues. Please let me know your availability on Monday, Tuesday afternoon and Wednesday of next week. Specifically, I would like to discuss the following items.

- Interrogatory No. 20 advice of counsel: whether UPS has a final answer and if not to set a date by which it will have an answer.
- RFPD No. 10: UPS has not produced any documents sufficient to establish the wage scale and employment benefits for seasonal drivers, nor do you address this in your

email below.

- RFPD No. 36: Whether UPS will produce the requested data. This is not an issue that is specific to any particular aggrieved individual.
- RFPD No. 40: Whether UPS will produce CALM Committee documents pertaining to FMCSA hearing exemptions as proposed in our deficiency letter. You do not address this in your email below.
- RFPD No. 46: UPS's refusal to produce documents relating to non-claimants with an FMCSA hearing exemption who have attended Integrad training.

During our conversation, we can also discuss the issue of your proposed subpoenas if you'd like. In an effort to compromise, we would be willing to agree to the following:

For former employers – We would not oppose subpoenas for all documents relating to wages/hours/benefits and documents relating to driving, including any reports on driving records, accidents, moving violations, and assessments or performance reviews related to the individual's driving.

For contemporaneous employers (i.e., at the time of application) who are not also current employers – We would not oppose subpoenas for all documents relating to wages/hours/benefits, documents relating to driving, including any reports on driving records, accidents, moving violations, and assessments or performance reviews related to the individual's driving, and documents relating to terminations for cause.

For current employers, we object to any subpoenas, but we would agree to ask our claimants for documents and information relating to wages/hours/benefits and documents relating to driving.

We will write separately to discuss any outstanding items with respect to individual claimants

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